



PROBATION AND PAROLE BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: P&P 40-4	Subject: IN STATE TRANSFER OF OFFENDER SUPERVISION AND OFFENDER RECORDS
Chapter 40: OFFENDER RECORDS	Page 1 of 3
Signature: /s/ Ron Alsbury	Revision Date: 12/10/01; 08/20/07
	Effective Date: 06/01/00

I. BUREAU DIRECTIVE: Probation and Parole Bureau employees will follow established procedures for the transfer of offenders within the state and will ensure that the updated case file and chronological history is transferred simultaneously when an offender is transferred.

II. AUTHORITY:

53-1-203, MCA.
DOC 1.5.4

Powers and Duties of Department of Corrections
Transfer of Records

III. DEFINITIONS: None.

IV. PROCEDURES:

IN STATE TRANSFERS OF OFFENDER SUPERVISION

Supervision of offenders will be provided by Probation/Parole Officers in the offender's district of residence. An offender being supervised by the Department may relocate within the state for employment, residence and other opportunities related to their rehabilitation unless movement to another community is expressly prohibited by the court of jurisdiction, the BOPP or the Department of Corrections (DOC Commitments and conditionally released offenders). This procedure also applies to interstate offenders transferring from one location to another within the state. P&P Officers will transfer supervision of offenders who will be residing in another district for longer than 30 days.

To be eligible for transfer to another area, the offender shall be in compliance with all conditions of supervision. If the offender requesting the transfer is not in compliance with the terms of supervision, the officer shall address the violations/non-compliance via an intervention, disciplinary or on-site wherein a plan will be developed to get the offender back into compliance and at which time the hearing officer will consider the matter of transfer of supervision as it relates to the goal of re-establishing compliance with supervision. If an offender is pending a revocation in a jurisdiction other than the supervising jurisdiction, the supervising jurisdiction will continue to supervise the offender, whether the offender is incarcerated, has bonded out, or is continued in the community until sentencing. If there are circumstances that warrant the offender be transferred, the P&P Officers involved will staff the case with the respective supervisors. The supervisors will review the case and render a decision whether or not the offender will be allowed to transfer.

The Probation & Parole Officer will contact the officer in the location where the offender will be transferring to make arrangements for the transfer. In offices where the supervisor assigns offenders to officer's caseloads, the officer will contact the supervisor. The offender's case should be staffed between the current officer and the officer being assigned the case to provide a consistent continuum of care. If there are any concerns between the officers relative to the transfer, the officer will notify their respective supervisors to address the concerns.

Policy No.: P&P 1.5.4	Chapter: Administration and Management	Page 2 of 3
Subject: TRANSFER OF OFFENDER RECORDS		

TRANSFER OF OFFENDER RECORDS

1. Records on an offender transferring supervision to another city

When a transfer is approved for an offender to relocate, all case files and chronological histories will immediately be transferred to the Officer or Probation and Parole office receiving the offender. Case files and the chronologicals will include all pertinent information, such as history, records, court/legal documents, medical records and educational records.

2. Records on an offender awaiting a revocation before the court who were supervised in a different jurisdiction

If an offender is being supervised in a jurisdiction other than the sentencing jurisdiction and the supervising officer files a *Report of Violation*, the supervising officer will maintain the file until a final disposition is determined unless other arrangements are made between the sentencing jurisdiction Regional Administrator and the supervising jurisdiction Regional Administrator. If the court revokes and reinstates the offender and the offender stays in the same location, the supervising officer should sign the offender to new rules. The region where the revocation was initiated will be responsible to complete all paperwork associated with the revocation procedures. If the offender has absconded, the supervising officer will complete the *Report of Violation* and send it along with the field file to the sentencing jurisdiction for filing and maintenance of the file. If the offender is a parolee or conditional release offender that has absconded supervision, the file will be forwarded to the interstate unit.

PROCEDURE:

1. Transfer is requested to another Jurisdiction.
2. Officer is provided with address and employment information.
3. Address/employment information is verified.
4. If information is verified, receiving officer/P&P office is contacted for approval of transfer.

If concerns or issues arise regarding a transfer, supervisors will be consulted to make a determination relative to the transfer.

5. If approval is granted, travel permit and reporting instructions are given to offender and file is transferred.

The file will not be transferred until the case has been formally assigned to a receiving officer by his/her RA or PO II.

6. Offender reports as instructed.
7. Verifies address/employment
8. Sending officer is contacted to verify the offender reported.

RESPONSIBILITY:

Offender

Offender

Sending Officer

Sending Officer

Sending/Receiving Officers

Sending Officer

Offender

Receiving officer

Receiving officer

Policy No.: P&P 1.5.4	Chapter: Administration and Management	Page 3 of 3
Subject: TRANSFER OF OFFENDER RECORDS		

V. CLOSING: Questions concerning this procedure should be directed to the Regional Administrator or designee.